



***Substitute Senate Bill No. 633***

***Public Act No. 06-13***

***AN ACT CONCERNING TECHNICAL REVISIONS TO CERTAIN  
EDUCATION STATUTES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (d) of section 10-16p of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) (1) The Commissioner of Education, in consultation with the Commissioner of Social Services, shall establish a competitive grant program to provide spaces in accredited school readiness programs for eligible children who reside (A) in an area served by a priority school or a former priority school as provided for in subdivision (2) of this subsection, (B) in a town ranked one to fifty when all towns are ranked in ascending order according to town wealth, as defined in subdivision (26) of section 10-262f, as amended, whose school district is not a priority school district pursuant to section 10-266p, as amended, or (C) in a town formerly a town described in subparagraph (B) of this subdivision, as provided for in said subdivision (2). A town in which a priority school is located, a regional school readiness council, pursuant to subsection (c) of section 10-16r, as amended, for a region in which such a school is located or a town described in subparagraph (B) of this subdivision may apply for such a grant in an amount not to exceed one

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hundred seven thousand dollars per priority school or town. Eligibility shall be determined for a five-year period based on an applicant's designation as having a priority school or being a town described in subparagraph (B) of this subdivision for the initial year of application. Grant awards shall be made annually contingent upon available funding and a satisfactory annual evaluation. The chief elected official of such town and the superintendent of schools of the school district or the regional school readiness council shall submit a plan, as described in subsection (c) of this section, for the expenditure of such grant funds to the Department of Education. In awarding grants pursuant to this subsection, the commissioner shall give preference to applications submitted by regional school readiness councils and may, within available appropriations, provide a grant in excess of one hundred seven thousand dollars to towns with two or more priority schools in such district. A town or regional school readiness council awarded a grant pursuant to this subsection shall use the funds to purchase spaces for such children from providers of accredited school readiness programs.

(2) (A) Commencing with the fiscal year ending June 30, 2005, if a town received a grant pursuant to subdivision (1) of this subsection and is no longer eligible to receive such a grant, the town may receive a phase-out grant for each of the three fiscal years following the fiscal year such town received its final grant pursuant to subdivision (1) of this subsection.

(B) The amount of such phase-out grants shall be determined as follows: (i) For the first fiscal year following the fiscal year such town received its final grant pursuant to subdivision (1) of this subsection, in an amount that does not exceed seventy-five per cent of the grant amount such town received for the town or school's final year of eligibility pursuant to subdivision (1) of this subsection; (ii) for the second fiscal year following the fiscal year such town received its final

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grant pursuant to subdivision (1) of this subsection, in an amount that does not exceed fifty per cent of the grant amount such town received for the [town] town's or school's final year of eligibility pursuant to subdivision (1) of this subsection; (iii) for the third fiscal year following the fiscal year such town received its final grant pursuant to subdivision (1) of this subsection, in an amount that does not exceed twenty-five per cent of the grant amount such town received for the [town] town's or school's final year of eligibility pursuant to subdivision (1) of this subsection.

Sec. 2. Subdivision (3) of subsection (e) of section 10-16p of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(3) If a town that is eligible for a grant pursuant to subsection (c) of this section does not submit, by October first, a plan which is subsequently approved for the expenditure of the entire amount of funds for which such town is eligible, the department may use up to seventy per cent of any amounts such town has not earmarked for expenditure, to provide supplemental grants to other towns that are eligible for grants pursuant to subsection (c) of this section, and the remaining thirty per cent of any amounts such town has not earmarked for expenditure [.] for school readiness professional development, including, but not limited to, scholarship assistance for school readiness staff to attain early childhood education certification and staff training to enhance literacy teaching skills.

Sec. 3. Section 10-16x of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Department of Education, in consultation with the after school committee established pursuant to section 10-16v, may, within available appropriations, administer a grant program to provide grants

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for after school programs to local and regional boards of education, municipalities and not-for-profit organizations that are exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended. For purposes of this subsection, "after school program" means a program that takes place when school is not in session and [is for the] provides educational, enrichment and recreational activities for [of] children in grades kindergarten to twelve, inclusive.

(b) Applications for grants pursuant to subsection (a) of this section shall be filed annually with the Commissioner of Education at such time and in such manner as the commissioner prescribes.

(c) For purposes of carrying out the provisions of subsections (a) and (b) of this section, the Department of Education may accept funds from private sources and from any state agency that is a member of the after school committee.

Sec. 4. Subdivision (1) of subsection (e) of section 10-76d of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(e) (1) Any local or regional board of education which provides special education pursuant to any mandates in this section shall provide transportation, to and from, but not beyond the curb of, the residence of the child, unless otherwise agreed upon by the board and the parent or guardian of the child, tuition, room and board and other items [as are] necessary to the provision of such special education except for children who are placed in a residential facility because [of the] they need [for] services other than educational services, in which case the financial responsibility of the school district and payment to such district shall be limited to the reasonable costs of special education instruction as defined in the regulations of the State Board of

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Education. If a hearing board, pursuant to subsection (d) of section 10-76h, rejects the educational program prescribed by the local or regional board of education and determines that a placement by a parent or guardian was appropriate, the local or regional board of education shall reimburse the parent or guardian for the reasonable costs incurred for the provision of special education pursuant to this section from the initiation of review procedures as provided by said section 10-76h.

Sec. 5. Subdivision (1) of subsection (d) of section 10-145h of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) (1) Notwithstanding subsection (a) of this section, for the period from July 1, 2005, to July 1, 2008, the State Board of Education shall require an applicant for certification as a bilingual education teacher to demonstrate competency in English and the other language of instruction as a condition of certification. Competency in English shall be demonstrated by successful passage of the oral proficiency test in English and an essential skills test approved by the State Board of Education. Oral and written competency in the other language shall be demonstrated [on] by passage of an examination, if available, of comparable difficulty as specified by the Department of Education. If such an examination is not available, competency shall be demonstrated by an appropriate alternative method as specified by the department.

Sec. 6. Subsection (b) of section 10-262i of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The amount due each town pursuant to the provisions of subsection (a) of this section shall be paid by the Comptroller, upon certification of the Commissioner of Education, to the treasurer of each

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town entitled to such aid in installments during the fiscal year as follows: Twenty-five per cent of the grant in October, twenty-five per cent of the grant in January and the balance of the grant in April. The balance of the grant due towns under the [provision] provisions of this subsection shall be paid in March rather than April to any town which has not adopted the uniform fiscal year and which would not otherwise receive such final payment within the fiscal year of such town.

Sec. 7. Subsection (d) of section 10-292o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) The amount of the regional educational service center lease grant approved by the Commissioner of Education under the provisions of this section shall be the eligible percentage, as determined in subsection (c) of section 10-285a, as amended, times the eligible lease costs as determined by the Commissioner of Education. Grants pursuant to this section shall be paid on a current year basis if the regional educational service center files an application to lease a facility with the Department of Education on or before August first of each year. No such facility or portion thereof shall be eligible for a grant under this section unless the local fire marshal has declared the facility suitable for occupancy as a facility for use in furnishing educational programs and services. Eligible costs pursuant to this section shall be limited to the lease cost of the building, net of any other costs. Grant payments shall be made as follows: Twenty-five per cent of the estimated cost in October, twenty-five per cent of the estimated cost in January, and the balance of the estimated cost in April. The actual cost will be reported on or before September first following the year of application [on] in the end of school year report filed by each regional educational service center. If the Commissioner of Education determines that there has been an underpayment or

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overpayment in a grant made pursuant to this section, the commissioner shall calculate the amount of the underpayment or overpayment and shall adjust the amount of the grant payment for the fiscal year next following the fiscal year in which such underpayment or overpayment was made. The amount of the adjustment shall be equal to the amount of the underpayment or overpayment. If the amount of the overpayment exceeds the grant payment for the fiscal year next following the fiscal year in which such overpayment was made, the regional educational service center shall, upon the request of the commissioner, pay the department the difference. Any lease pursuant to this section shall be for a period not to exceed twenty years. In no event shall the reimbursement pursuant to this section be based upon a cost per square foot which exceeds the cost determined to be reasonable by the Commissioner of Education. In the case of any grants computed under this section, any federal funds or other state funds received for such costs covered by the grant shall be deducted from cost estimates prior to computation of the grant. Notwithstanding the provisions of this section, for the fiscal years ending June 30, 2004, to June 30, 2007, the amount of the grants payable to regional educational service centers in accordance with this section shall be reduced proportionately if the total of such grants in such year exceeds the amount appropriated for the purposes of this section for such year.

Approved May 2, 2006